THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.31259 of 1997
Date: 31-01-2007

Between:
Pillipadu Co-operative Farming Society,
rep. by it's President, P.Satyanarayana,
Pillipadu Mandavalli Mandal, Krishna District

Petitioner

And

The District Collector,
Krishna, Machilipatnam and another

Respondents

THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.31259 of 1997

ORDER:

1. This writ petition has been filed seeking directions to the respondents to consider the application of the members of the petitioner society for assignment of land in Survey No.H/151 of Pillipadu Village, Mandavalli Mandal, Krishna District.

2. The case of the writ petitioner society is that it was granted a lease for a period of five years and that it continued to be in possession of the land in question and that the State Government has not assigned the land in question so as to enable the writ petitioner society to allot the same in favour of it's members. It is not in dispute that the land in question is proximately close to the Kolleru Lake forming part of a reserved sanctuary. Therefore, the writ petitioner society cannot compel the State to assign the land in question in their favour to enable collective farming to be undertaken by the members of the petitioner society. In this view of the matter, the relief prayed for in this writ petition cannot be granted, but, however, it is open to the petitioner society to approach the competent authority for the purpose of assigning them any suitable land to enable the members of the petitioner society to undertake collective farming, provided the land identified by the petitioner society is otherwise not prohibited from being assigned or not required by the State for any other public purpose.

3. With this, the writ petition stands disposed of. No order as to costs.

NOOTY RAMAMOHANA

RAO,J
31-01-2007
Stp